



राजपत्र, हिमाचल प्रदेश

(असाधारण)

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

शिमला, शनिवार, 15 फरवरी, 1975/26 माघ, 1896

GOVERNMENT OF HIMACHAL PRADESH

LOCAL SELF GOVERNMENT DEPARTMENT

NOTIFICATION

Simla-2, the 22nd January, 1975

No. LSG-E(4)-4/75.—In exercise of the powers conferred by sub-section (4) of section 216-A of the Himachal Pradesh Municipal Act, 1968 (Act No. 19 of 1968) as amended by the Himachal Pradesh Municipal (Amendment) Ordinance (No. 1 of 1975), the Governor, Himachal Pradesh is pleased to make the following Rules entitled as the Himachal Pradesh Municipal (Prevention of Soil Erosion and Hill Side Safety) Rules, 1975:

RULES

1. *Short title and commencement.*—(1) These Rules may be called the Himachal Pradesh Municipal (Prevention of Soil Erosion and Hill Side Safety) Rules, 1975.

(2) These Rules shall apply to Municipal Committees, Notified Area Committees and Municipal Corporation, Simla, in Himachal Pradesh.

(3) These Rules shall come into force at once.

2. *Definition.*—In these Rules unless there is anything repugnant in the subject or to the context:—

- (i) "Act" means the Himachal Pradesh Municipal Act, 1968 (Act 19 of 1968);
- (ii) "Municipal Authority" means the Municipal Corporation, Simla, Municipal Committees, and Notified Area Committees in Himachal Pradesh;
- (iii) "section" means the section of the Act; and
- (iv) all other words and expressions used in these Rules and not defined in these Rules but are defined in the Act shall have the same meaning as are assigned to them in the Act.

3. *Prescribed Authority under sub-section (1) of section 216-A.*—The prescribed Authority for the purpose of granting permit under sub-section (1) of section 216-A shall be Secretary, Local Self Government for Municipal Corporation, Simla and the Deputy Commissioner of the district for Municipal Committees and Notified Area Committees.

4. *Classification of trees.*—The prescribed class of trees for the purpose of Chapter IX-A of the Act shall include deodar, kail, chil, fir, oak and every other tree except fruit trees purely grown for horticultural purposes.

5. *The procedure for making and disposal of applications under section 216-A.*—(1) The application for permission for felling of tree shall be made to the Executive Officer/Secretary of Municipal Corporation/Committee/Notified Area Committee accompanied by a fee of Rs. 5.

(2) The Executive Officer/Secretary of the Municipal Corporation/Committee/Notified Area Committee, as the case may be, shall cause the application to be entered in a register to be maintained in this behalf by him.

(3) The Officer referred to under sub-rule (1) and (2) shall forward the application received under sub-rule (1) to the officer of the Municipal Corporation/Municipal Committee/Notified Area Committee to be designated by the Municipal Authority for scrutiny.

(4) On receipt of the application under sub-rule (3) if such officer considers it reasonable and after such enquiry as he deems fit considers that the grant of permit will not be detrimental to the conservation of soil and moisture, and, in the interest of general public shall forward it to the prescribed authority under intimation to the Officers referred under sub-rule (1) and (2).

(5) In case such officer after holding such enquiry as he deems fit, comes to the conclusion that the request for the permit is not reasonable and is detrimental to the conservation of soil and moisture in the interest of general public he shall return the same to the Executive Officer/Secretary of the Municipal Corporation/Municipal Committee/Notified Area Committee for informing and refunding the application fee to the applicant.

6. *Procedure for sanction by the Prescribed Authority.*—After examining the application and the recommendations made under sub-rule (4) of Rule 5 and after holding such enquiry as he deems fit the prescribed authority shall either sanction the application or reject the same and shall return the whole record to the Executive Officer/Secretary of the Municipal Corporation/Municipal Committee/Notified Area Committee, as the case may be for issue of a permit or otherwise.

7. Every Executive Officer/Secretary and every Municipal Forest Officer, Range Officer, Deputy Range Officer, Forester and Forest Guard of Municipal Corporation, Municipal Committee and Notified Area Committee as the case may be, shall be deemed especially empowered officer for the purpose of section 216-A(3)(iv).

8. In case of Simla Municipal Corporation, the complaint for the offence shall be lodged by the Executive Officer, Municipal Forest Officer/Range Officer/Deputy Range Officer and in other cases by the Secretary of the Municipal Committee/Notified Area Committee concerned or by any other person as authorised by the Municipal Authority.

By order,
P. K. MATTOO,
Secretary.

HOME DEPARTMENT

NOTIFICATION

Simla-171002, the 13th February, 1975

No. 1-3/70-Home(A).—In exercise of the powers conferred by sub-section (1) of section 46 of the Indian Police Act, 1861 (Act No. 5 of 1861), the Governor of Himachal Pradesh, is pleased to extend the provisions of section 34 of the said Act to the Slapper Colony area of Mandi district (boundaries given below) from the date of publication of this notification in the Himachal Pradesh Rajpatra:—

BOUNDARIES OF SLAPPER COLONY AREA

North: Entrance to Colony road.

East: Pen Stock Tunnels (on the bank of the Sutlej River).

South: National Highway 21.

West: Slapper village.

U. N. SHARMA,
Chief Secretary.

